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New York City

1913

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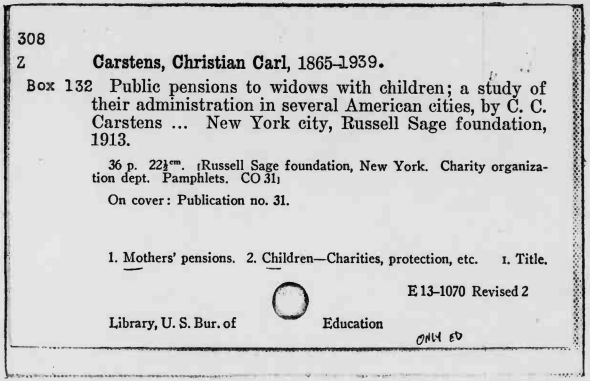

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A STUDY OF THEIR ADMINISTRATION IN SEVERAL AMERICAN CITIES

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BY

C. C. CARSTENS

SECRETARY OF THE MASSACHUSETTS SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN

RUSSELL SAGE FOUNDATION
NEW YORK CITY
1913

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PUBLIC PENSIONS TO WIDOWS WITH CHILDREN

[*For the three months beginning August 1, 1912, Mr. Carstens was commissioned by the Russell Sage Foundation to study the actual working of public pensions to widows with children in certain western communities. He spent several weeks in San Francisco, six weeks in Chicago, and much shorter periods in Kansas City, Missouri, and in Milwaukee. In Chicago, investigators made, under his direction, a study of one hundred of the pensioned families. His findings are printed as a contribution toward the practical study of a question now attracting a great deal of attention.*]

INTRODUCTION

IN January of 1909 about two hundred men and women met in the city of Washington upon the invitation of the President of the United States, and held what was known as the White House Conference on the Care of Dependent Children. The first of the resolutions there adopted reads as follows:

> **Home life is the highest and finest product of civilization. It is the great molding force of mind and of character. Children should not be deprived of it except for urgent and compelling reasons. Children of parents of worthy character, suffering from temporary misfortune and children of reasonably efficient and deserving mothers who are without the support of the normal breadwinner, should, as a rule, be kept with their parents, such aid being given as may be necessary to maintain suitable homes for the rearing of the children. This aid should be given by such methods and from such sources as may be determined by the general relief policy of each community, preferably in the form of private charity, rather than of public relief. Except in unusual circumstances, the home should not be broken up for reasons of poverty, but only for considerations of inefficiency or immorality.**

These principles had long been held by many members of this Conference, but they were then for the first time crystallized into compact form and published so widely as to awaken all parts of the country to a realization of their importance. Many went away from that Conference convinced of their universal application, and took active steps to reduce the population of existing child-caring institutions and to prevent the creation of any new ones in their several communities. The resolutions adopted by this White House Conference were without doubt the strongest single factor in developing the sentiment for widows' pensions which has found such strong and widespread expression during the last few months.

The policy of some of the better-equipped private societies of providing a lump sum by the week or month, often called a pension, with-

out which the mother and her dependent children would be separated, has during the last few years gained wide favor, and the demand in the nation for the general adoption of such a policy has rapidly grown.

To these demands for keeping mother and children together by means of adequate aid has been added a third demand, that the payment be looked upon as a pension in return for the service which the mother is rendering the state by the fact of her motherhood, such aid being made necessary by her widowhood. It is pointed out that this payment bears an analogy to those made by the state or nation to soldiers, sailors, or other servants who have rendered public service, and who have grown old or have been disabled in the pursuit of their duties. It is from this supposed analogy that the term "widow's pension" has in the minds of most people, during these recent months of growing interest in the subject, acquired the meaning of a stated sum from public rather than private sources.

Besides these influences inclining the general public toward widows' pensions, there must be added the relief principles enunciated in the recent Minority Report of the English Royal Poor Law Commission, which have gained a rather wide acceptance among certain groups of social workers in this country.

The theory upon which pension legislation has been based so far in this country is that children are being separated from their mothers for reasons of poverty only, and that children are coming before our juvenile courts for forms of waywardness or delinquency which the court believes to be due to the lack of the necessary care which the mother is capable of providing, but which she is prevented from giving because of the necessity of going out to earn the support for herself and her children.

The term "dependent children" does not have the same meaning in every state. In most states, the class of dependent children includes neglected as well as dependent children, and in certain states it includes a considerable number of those that in other states would be classed as wayward. When, therefore, it is stated that children have been committed to institutions, before one can reach a conclusion regarding the number of children that have been taken from homes because of poverty only, it is necessary to separate from this total the number that have been removed because of the neglect, crime, cruelty, drunkenness or other vice of the parents, so that they might have a better home than the parent has been able or willing to provide. We must also deduct the number that were removed because of the children's own waywardness, with which the home was unable to cope.

This lack of distinction between neglected, wayward and dependent children is at the foundation of much loose thinking on this subject, and at final analysis the number of children who have been removed from their mothers because of poverty alone is found to be only a very small percentage of those in these various institutions. That there are children in institutions or in the care of children's societies because of

poverty alone is unquestionably true, but it is essential that one should have a fairly clear idea of their number, so as to determine the advisability of developing an entirely new form of public aid to provide for this evil.

THE PRESENT EXTENT OF THE PENSION PLAN

AS is common in other forms of invention, the beginnings of this movement are discovered in a number of places almost simultaneously. When the country at large became interested, it was found that at least four cities had already made plans for the public pensioning of mothers with dependent children, each of which had been developed without waiting to learn from the experience of the others.

The plan in San Francisco was started about four years ago without any special statute. The law permitting Kansas City, Missouri, to provide the pension from public funds was passed April 11, 1911. The Illinois law became operative July 1, 1911, and Milwaukee, without a special statute, began its pension plans in April, 1912. During the fall of 1912, St. Louis has been added on the basis of a city ordinance recently passed, and Colorado by initiative legislation passed a law in November, 1912.[1]

[1] See Appendix (p. 29, sq.) for the various legal provisions authorizing these pension plans. In Colorado the petition, signed by the requisite number of voters, which placed this proposal on the ballot, gave the proposed act in full, but with no title other than the name of the act to which the proposed act was amendatory. It was provided by the petition that each voter might deposit a ballot on which should be printed the words "For" or "Against [as the case may be] the Mothers' Compensation Act, being an Act to Amend an Act, Concerning Dependent and Neglected Children, and Permitting Keeping Such Children in Family Homes, and for Workhouses for Men Convicted of Non-Support." A summary and explanation of the purpose of the act was attached to this petition. Although the act allows the pensioning of fathers as well as mothers—the condition being that the "parent or parents of such dependent or neglected child are poor and unable to properly care for such child, but otherwise are proper guardians, and it is for the welfare of such child to remain at home"—this summary was headed in large type, "MOTHERS' COMPENSATION ACT," and it was explained that the measure was "for the better protection of mothers and dependent children of the State through the following plan: 1. In all worthy and proper cases of needy mothers of dependent children, it empowers the court to pay the mother to stay at home and take care of the children. . . . It compels the State in proper cases to compensate rather than punish the mothers of children, as at present, because of their poverty or misfortune."

As the act is quite long and is complicated with other provisions besides the pensioning of parents, it is the summary that undoubtedly was usually read. In the interest, therefore, of intelligent action it must be regarded as a misfortune that not once in the summary was a hint given that the act allowed *parents'* pensions as well as *mothers'* pensions.

The act was approved by the voters. On December 9, 1912, however, an opinion was rendered by the city attorney of Denver to the effect that its provisions for the appropriation of funds are not mandatory in that city.

THE CALIFORNIA PLAN

THE Constitution of California authorizes the granting of aid to private institutions for the care of orphans, half-orphans or abandoned children, and under this provision the state is paying to such institutions $100 a year for an orphan and $75 for a half-orphan, and $11 a month for the care of an abandoned child. This section of the Constitution also authorizes such payments to any city, county or town providing for such dependents. The Juvenile Court Law of California, on the other hand, authorizes the payment of not to exceed $11 per month for dependent children committed to any private institution. Under the provisions of this law most of the counties of California make payments to private agencies for the care of their dependent children, and then, under the constitutional provision, recoup themselves from state funds as far as is possible at the above-mentioned rates.

After the San Francisco earthquake, when the number of dependent children was particularly large and the institutions available for their care had become quite overcrowded, additional provision was needed for the care of dependent children. It was then suggested that the boarding-out method be introduced for their care, and, in 1908, the Children's Agency of the San Francisco Associated Charities and the Catholic Humane Bureau were organized as boarding-out agencies. It soon became apparent that children came into the care of these two agencies who were dependents but who had mothers wholly suitable to provide for them. The plan was therefore inaugurated of returning the children to such mothers, provided all the home conditions were favorable, and making the county or state payments to them (through the private agencies) that would otherwise have been made to the institutions.

The amount available for these returned children that are half-orphans is so small that, in many instances, where there are no additional resources in the family, the county is asked to pay the maximum of $11 a month, with the understanding that it will recoup itself from the state as far as it can do so under the Constitution. Even these sums are not sufficient in a good many instances, and an analysis of the aid provided in a considerable number of cases would seem to show that at least one dollar of supplementary aid is required from private sources for every two dollars drawn from the public in order to meet the apparent needs of the family.

To these two agencies the Hebrew Benevolent Society was later added, so that in 1912 three private societies were having dependent children committed to them, a considerable number of whom were thereupon returned to their mothers, or to their parents where both parents were living.

On June 1, 1912, the Children's Agency of the Associated Charities had 519 children in its care. Two hundred and one of these children

were boarded at public expense with parents;[1] while 282 were boarded in other private families, 18 were in children's institutions, 16 were held for legal control only, and 2 were held pending investigation.

The plan as it is in vogue in San Francisco, and to a small extent in Fresno, Berkeley, Oakland, Los Angeles, and other cities of California, is therefore not based on a statute directly establishing widows' pensions. By combining a section of the Constitution with the provisions of the Juvenile Court Law, a form of state payment for the support of dependent children has been made possible. Payments are made under these provisions for the support of children where the father has deserted; where he has been divorced and alimony either has not been allowed or has not been enforced by the machinery of the court; where the father is in prison; where he is suffering from some chronic ailment, such as tuberculosis, heart trouble or cancer; and to mothers for the care of dependent children born out of wedlock. The plan is therefore a fund to parents for the support of dependent children boarded with the mother. By their commitment to any one of the three private societies of San Francisco, the children are placed at least nominally and possibly legally in the custody and control of that particular society. Whether this commitment gives the private society any legal custody as against the parent is not clear and has not been passed on by the Supreme Court. The commitment has been made not for the purpose of changing the child's custody, but to draw from public funds such a sum as state or county allows for the support of the dependent child.

This payment, often called the pension, is being made at the present time in certain instances in lieu of other and perhaps more difficult but more fundamental solutions, namely: the enforcement of a statute against desertion of wife and children; the enactment of a bastardy law; and the enactment of a law requiring that a prisoner shall contribute from his labor to the support of wife and dependent children while he is serving sentence imposed upon him by another court.

The large Red Cross relief funds that became available for San Francisco after its great earthquake and during its rehabilitation period had the tendency to set a standard of money relief that is probably not surpassed and perhaps not equaled in amount elsewhere in the United States. Inevitably family solidarity, which has never been greatly emphasized in our far western states, has become weakened by this accessibility of relief, and relatives have relieved themselves of the responsibilities they would have assumed under other circumstances—a tendency which has been still further strengthened by the public pensions that became available a few years later. These circumstances seem also to have discouraged systematic inquiry regarding the resources of relatives and their ability and disposition to aid. Private societies, because of the disaster, also found their resources crippled, while the demands upon them were increased. Under all these circumstances, in spite of the

[1] In one family both parents were dead and the children were with grandparents. In another the children were with a married sister.

proverbial generosity of San Francisco's well-to-do citizens, it seemed necessary to have additional recourse to public funds for the care of the beneficiaries of these private societies.

The demand for additional relief funds was also strengthened by the fact that the standard of living among the poor of San Francisco seems to be higher than in most other parts of the country, and especially than in the large cities of the Atlantic seaboard.

A careful reading of sixty pension records of the Children's Agency of the Associated Charities would go to show that suffering would result in most instances if the pension then being paid was not supplemented. At the same time the total of supplementary aid given to these families has been decreased somewhat during the last two years, and apparently without any unusual suffering. Until recently, Red Cross relief funds were available in considerable amount for this supplementary aid; but now that those are practically exhausted an increased demand is being made for larger pensions than the state and county payments now make possible.

It must be apparent from all this that the pension plan for women with dependent children is but one element in the whole charitable scheme of San Francisco, and that, if the plan is to be continued, either the number of families aided must be reduced, so that each may receive a larger sum, or the state and the city of San Francisco must supply considerable additional sums to meet the needs that seem to exist. To what extent the community can meet these demands at the standards of living and of relief that are at present in vogue in San Francisco, it is hard to foretell.

The disbursing of the pension money through a small number of private societies has furnished a measure of supervision for the families as well as certain safeguards against reckless expenditures. This oversight the Juvenile Court of San Francisco is at present unable to provide with its limited staff. The plan now in operation seems, however, quite a temporary one, and at the same time is creating a sentiment for a direct pension system without the private agencies as intermediaries.

While the boarding of the dependent child in the mother's home was adopted in mitigation of the evil effects of a system of public payments to private institutions, it is extremely doubtful whether an arrangement by which the private society visits the family while the public purse furnishes the relief, is a wise one and should be further extended. It would seem to be better that pensions from the public treasury should be paid direct, so that the financial responsibility as well as the charitable oversight might be thrown upon the public, and that it might learn all the terms in the equation and determine for itself whether the return that the state is getting for such an expenditure is commensurate with the amount that it costs.

The present plan is also unsatisfactory in that it brings increasing work rather than decreasing work upon the private relief agency. Most of the families aided from the public treasury must have supplementary

aid from the private. Besides, there is no corresponding amount available for supervision, and so this increasing demand upon the public treasury brings increasing demand for both relief and supervision from private sources which they are unable to give without interfering with their other tasks.

That the present system in California does not meet the situation at all wisely is exemplified by the rates of payment for the care of dependents. A full orphan or an abandoned child very frequently finds a free home, and yet the state is ready to pay $100 a year for the support of the former and $121 for the support of the latter, while the widow's child may draw from the state only $6.25 per month.

As this plan may work out, the mother in the household where the father has deserted or where he is ill or absent because of conviction for crime, may receive $11 a month per child; while, when the mother has been left destitute by the death of the breadwinner, she can draw only at the rate of $6.25 per child per month. The fact that the county in many instances adds to the state's pension is only additional evidence of the plan's inadequacy and of its unsatisfactoriness.

The work of the Children's Agency seems to be an ingenious adaptation on the part of the Associated Charities to the community's needs under the subsidy system now in vogue in California. The mothers with whom children have been left seem on the whole trustworthy, co-operative, and reputable. The relations existing between the working staff of the Agency and the families are not only not bureaucratic but are friendly and wholesome. The health of the members of the household seems unusually well looked after by nurses and visitors, but a first investigation of the family's own resources is in many instances wholly lacking and in others inadequate. An intimate knowledge of the family's life during the pension period at any rate does not appear upon the records, and the family's own statements seem frequently to be taken at too high a rating.

The number of children committed to the Hebrew Benevolent Society has remained small, for the families of Jewish widows of San Francisco are largely kept together from generous private sources.

The Catholic Humane Bureau is receiving an increasing number of children by commitment. Although this Bureau has the aid of the various parish visitors of the church, the number of its own agents is wholly inadequate. Its financial resources are also limited, so that the supplementing of pension funds is in most cases out of the question, and the unsupplemented pension funds are inadequate.

THE KANSAS CITY PLAN

THE plan in Kansas City, Missouri, is like that of San Francisco in one important particular, namely: The Juvenile Court determines the advisability of paying a pension to the mother of the dependent children and so is the central factor in the administration of the pension.

The law applying to Kansas City provides a pension for "the partial support of women whose husbands are dead or whose husbands are prisoners, when such women are poor and are the mothers of children under the age of fourteen."

According to this law, only partial support may be paid to the mother. On the other hand, it requires that the mother shall remain at home. These two requirements have had a most unsatisfactory effect. As the support can be only partial, there must be other resources available in the family, or the mother, while staying at home, must seek to do tasks that are likely to be underpaid, and by that means become so engrossed with the work which shall provide the balance of the support that the real purpose of the law, to provide satisfactory mother's care for the children, tends to be defeated.

The law goes on to state that "the allowance to each of such women shall not exceed ten dollars ($10) a month when she has but one child under the age of fourteen (14) years, and if she has more than one child under the age of fourteen years, it shall not exceed the sum of ten dollars ($10) a month for the first child and five dollars ($5) a month for each of the other children under the age of fourteen years."

During the month of September, 1912, 39 families, with 114 children under fourteen and 36 over fourteen, were pensioned from public funds. The total of payments for that month was $493, making an average of $12.64 per family per month and $4.33 per child. This was not exceptionally low, for the average amount of aid given per family per month for the first year of the law's operation was $12.73, which was an average monthly payment of $3.82 per child.

If the provision for partial support should have the effect of encouraging friends, employers, relatives and private agencies to do their part, it might be thought of as a salutary one, but the experience in San Francisco, which is duplicated by that in Kansas City, is that all other agencies quickly step aside when a public pension plan begins. That this plan does not very adequately meet the situation of the widows of Kansas City is shown by the small demand for the pension on the part of widows, for they have found that the two conditions of remaining at home and of partial support are such that they hesitate to accept them.

It should be noted that Kansas City has no public outdoor relief, and the general impression prevails that the amount of private relief given through charitable societies is not large. The general prosperity of the community perhaps has made large relief plans unnecessary, but it is not strange that, in view of the absence of public relief and the undeveloped state of private relief, some other form of systematic aid should have been undertaken.

The statute under which Kansas City has undertaken its task makes it possible for widows and the wives of convicts to be aided. There was considerable expression in favor of adding to this by amendment the children of families in which the father was insane. Of the total number of 39 there was but one where the man was in prison, and his wife's allowance was $12 a month.

Kansas City's plan is clearly one of inadequate relief. The Juvenile Court found that some of the mothers who pleaded poverty as the reason for asking commitment preferred to keep their children at home and were suitable to care for them. It found no provision for these mothers and so developed its own. Children were also being brought in who had got into trouble because the mother found it necessary to go out to work during most of the hours of the day, leaving the children so much to their own devices that trouble had ensued. The judge believed the private societies unable or unwilling to aid these families. Besides, he found the city without outdoor relief. He therefore devised the pension law to meet the needs as he saw them—a rather natural result of an inadequately developed charitable plan in a rapidly growing industrial and commercial city. Kansas City's law does not, however, provide an adequate remedy, nor does there seem to be such a working plan between the court and the private societies that any correct division of labor has been arrived at.

THE MILWAUKEE PLAN

MILWAUKEE has no special widows' pension statute. When it was found that the quarters provided in the Home for dependent children of Milwaukee County were inadequate, and the question of additions came up, it was arranged that the board of trustees of the Home appropriate, in all instances where the mother was found to be suitable, a certain sum to allow her dependent children to remain with her. As the children were committed to the institution through the Juvenile Court, it was left to the judge to determine what mothers should be so pensioned, and left to the trustees to administer the pension, by making payments from the fund upon an order from the Juvenile Court. This plan has been in operation since about April 1, 1912. Up to September 1st, 30 mothers with children have been aided, with a total sum expended of $868. In the month of September, 1912, about $400 was expended for the aid of 110 children, which is at the rate of $3.63 per child per month. Several of these mothers were deserted wives, one was a divorced woman, and one the wife of a convict.

There does not seem to be any hesitation on the part of the Juvenile Court of Milwaukee County to turn to public outdoor relief to supplement its small pension allowances, and the only apparent justification

for having two forms of public relief seems to have been that the trustees of the Home for dependent children felt that they could spend in pensions a part of what it would have cost them to build a larger institution. The inadequacy of public as well as private relief in Milwaukee is generally admitted, and the inadequacy of the pension plan is perhaps based on the fear that if such amounts were given as would fully provide for the needs of the families in question, the plan would be found to be illegal and thus lead to other serious complications.

The friends of the plan now in vogue feel the need of definite pension legislation, and sentiment is being created in favor of a public pension for women with dependent children in cities of Wisconsin of the first class, namely, in Milwaukee. This sentiment has already found expression in a widows' pension plank in the Republican party's state platform.

THE FUNDS TO PARENTS ACT OF ILLINOIS

THE most important experiment in widows' pensions has been undertaken under a statute which was passed in Illinois and came into operation on July 1, 1911, but, as far as known (December, 1912), has not been taken advantage of in any of the counties of the state except Cook County in which Chicago is situated. The text of the law, which is an amendment to Section 7 of the Juvenile Court Law, is as follows:

"If the parent or parents of such dependent or neglected child are poor and unable to properly care for the said child, but are otherwise proper guardians, and it is for the welfare of such child to remain at home, the court may enter an order finding such facts and fixing the amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the county board, through its county agent or otherwise, to pay such parent or parents at such time as said order may designate the amount so specified for the care of such dependent or neglected child until the further order of the court."

To understand this law it is necessary to recall the varying meanings given to the term "dependent children." In Illinois the term "dependent children" includes also such neglected children as are placed before the court because their homes are so bad that the court steps in and requires their removal to institutions or to other homes. In view of the "poverty" explanation of the commitment of children already referred to (p. 6), it is interesting to note the number of commitments made during the six months ending June 30, 1911—the six months just preceding the enactment of the Funds to Parents Act—in comparison with the commitments in the same months a year later. There were committed to the various private institutions of Cook County in the first six months of 1911, 125 fewer dependent children than during the

corresponding months of 1912, which, since the pension law went into effect, were the months in which the granting of pensions was the most active. While it is not reasonable to suppose that the granting of pensions has had the effect of increasing the number of dependent children in institutions, on the other hand it is at least clear that the number of commitments of dependent children to societies and institutions has not been reduced by the pensions. The increase of commitments was due to other causes and the number was but slightly, if at all, affected by the granting of pensions.

APPLICATIONS.—From July 1, 1911, to January 16, 1912, there were 335 applications for pensions. From January 16, 1912, to September 30, 1912, there were 1,115 applications, making a total of 1,450 applications to September 30th, inclusive. The number of pensions granted up to September 30th was 522, which affected 1,769 children. Of this number, 156 children in 41 families were no longer pensioned on September 30th, the number on September 30th therefore being 481 families and 1,613 children. These numbers had been increased to 503 and 1,700 respectively during October. The amount expended for pensions during September was $10,922 and during October, $11,713. This last amount would make an average pension expenditure per month of $6.89 per child and $23.28 per family. It is estimated that the cost of the pensions, exclusive of cost of administration, will be, during the next year, not less than $200,000.

When the plan for pensions came in force, the Chicago Juvenile Court was not at once equipped with sufficient probation officers to make the necessary investigations, and it was not until after a large number of applications for pensions had been accumulated that enough probation officers were appointed to make the investigations necessary to determine the advisability of granting a pension, and to supervise the family intelligently when a pension had been granted. The amount of investigation and supervision grew so rapidly toward the end of 1911, and the force of probation officers was so inadequate, that the judge of the Juvenile Court asked the assistance of a group of citizens not connected with the court to organize themselves into a citizens' advisory committee; and, when the judge also asked the co-operation of private agencies in sifting the facts in the pension cases, a pension case committee of seven was organized, consisting of the chief probation officer and his deputy, representatives of the United Charities and a group of other private non-sectarian societies interested in the work of the Juvenile Court, together with representatives of the Jewish Home-finding Society, the St. Vincent de Paul, and other Catholic agencies interested in children. The chief probation officer was chosen the chairman of this committee but he and his deputy were not given a vote. At the beginning, a representative of the county relief agent, through whose office the payments are approved, also sat with this committee, but when important differences of opinion on the advisability of pensioning certain families arose, the county agent's representative withdrew and preferred to present his

facts directly to the judge—a procedure which has been continued throughout the year.

THE CASE COMMITTEE AND THE JUDGE.—Since January 16, 1912, this case committee has held semi-weekly meetings. Their recommendations have been based in most cases upon the facts presented by the probation officers to whom the individual applications for pensions had been assigned for inquiry. The committee has not hesitated to make certain inquiries itself through its members when it has not been satisfied with the facts presented, but, as a rule, the decision for pension has been made on the probation officer's presentation. The committee's recommendations have been of great help to the judge in deciding what families should be pensioned, and he has been largely guided by them in his decision both as to whether the pension should be granted and as to its amount.

Whenever this case committee has decided to recommend to the judge that he pension a certain family, the name and address are given to the county relief agent's representative, to give him an opportunity to satisfy his department of the advisability of a pension. For this ten days are generally allowed.

When the case comes before the judge for a hearing, the mother and children who are prospective beneficiaries of the pension come before him; the probation officer who has made the investigation presents the case; the deputy chief probation officer presents the recommendation of the case committee, and the county agent's representative adds such data as he has gathered through his independent investigation. On the facts from these three sources the judge generally reaches his conclusion without much difficulty. The county agent's representative has often added materially to the information regarding the family's financial status, the financial status of the relatives, and their ability to help. In some instances also the county agent's department has furnished more or less reliable information regarding the family's moral character. If the judge decides that a pension should be granted, he charges the mother with the duty of keeping accurate account of her expenses, and promises visits by a probation officer, whom she is to acquaint with her financial expenditures in detail. It is generally arranged that the supervision of the family remain in the hands of the one who has made the original investigation.

THE INVESTIGATIONS.—From an intimate acquaintance with the work of this case committee for a period of six weeks and from a patient hearing of the presentation of cases by the various probation officers, the writer did not acquire much confidence in the kind of investigation that the probation officers make. In many instances, the probation officer, after a meager investigation, presented certain facts which were wholly inadequate for determining whether or not a pension was advisable, and the case was then referred back to the probation officer for additional

inquiry on certain specific points. Not infrequently it was necessary to refer the case a second and a third time. Not infrequently meetings of the case committee were held at which deferred cases were the order of the day, only to be deferred again and again. The committee's work was delayed, their time was spent in mere technical criticism, and the families were kept from a week to a month longer without the definite and prompt answer which they anxiously awaited and to which they were entitled.

The separate investigation made by the county agent's department, while contributing materially to the facts about the family, was found to be made frequently with a brutality to which no applicant for assistance should be exposed. Insinuations were made regarding immoral conditions in the neighborhood inquiry about the widow which were based upon neither facts nor suspicions, but which the county representative threw out to arouse interest in his inquiry, and by means of which he hoped to get incriminating information.

With some exceptions, the group of thirteen probation officers detailed for this work were political appointees of the president of the county board for periods of sixty days, in contravention of the civil service law. As a whole they inspired no confidence in their ability to make the necessary inquiries with such tact and insight as to determine the wisdom of pensioning, or in their ability to supervise a pensioned family in such a way that their work would develop any reasonable plan or any good results for the family. Not only were a considerable number incapable, but more serious charges could be made against certain members of the staff which would entirely unfit them for important public service. Much of their time was spent in dawdling in the office, aside from the great waste of time which their inefficiency and inexperience made necessary at the meetings of the case committee, and in securing additional facts about the same family by repeated visits. The office direction of their work was also very meager, much time and energy were lost in that way, and a good deal of their undirected work was done to little purpose.

In certain instances the probation officers made an investigation sufficiently complete to answer the question whether a pension should be granted or not, but wholly inadequate for any constructive and supervisory work with the family. It must be conceded that, where an average of $23.28 per month is provided for each family, temptations come to spend money recklessly or foolishly, even in some of the better families. A pension plan of this sort requires careful following up, so that appropriate suggestions in regard to the health of mother and children, employment of older children, difficulties in discipline, an improved diet, and many other matters that come up in family life, besides advice on expenditures, may be made. The probation officer's original investigations, however, seemed to develop later into espionage instead of friendly supervision.

STUDY OF ONE HUNDRED PENSIONED FAMILIES.—By means of a small staff of trained investigators, an inquiry was undertaken by the writer, with the cordial and helpful co-operation of the judge, the chief probation officer, and his deputy, who not only encouraged the making of such an inquiry, but were eager to get all possible help in making the service of the court and probation department as valuable to the community and as helpful to the poor family as the volume of work and the character of the staff permitted. The circumstances of one hundred pensioned families chosen at random were looked into. These families were visited in their own homes and a patient and painstaking statement was obtained from them regarding their present situation, the health, schooling, and work of the children, the mother's health, work and fitness to care for them, the adequacy of the pension, the items of the budget, and the individual expenditures per week. Inquiry was also made with reference to the family's condition before the death of the breadwinner, and after the breakdown had occurred and before the pension began. In addition, other inquiries were made in verification if it seemed necessary.

The results of this inquiry are summarized in the following table:

	Yes.	No.	Doubtful.
Was the probation officer's investigation adequate?	36	64	
Is the probation officer of the type to render the necessary service, and is the relationship developing between mother and probation officer satisfactory?	14	80	6
Is the probation officer's supervision over the health, training and diet of the children, and over the family budget, adequate?	11	89	
Is the probation officer's supervision resulting in the development of any plan and in good results for the family?	7	88	5
Is the material relief adequate?	59	39	2
Is school attendance of the children satisfactory?	72	18	10
Is the mother with her children a reasonable period of time?	86	13	1
Is there evidence in the mother's and children's attitude of undue dependence?	24	74	2
Have the church, relatives, employers or private societies maintained the same measure of interest as before the pension began?	19	51	30
Are the standards of the family such that the home should be maintained for both mother and children?	81	10	9
Are improvements noted over the care that the family had previous to the pension period?	58	35	7
Are there conditions in the family that need remedy by court order if the pension is to be continued?	32	55	13
Was the application due to the existence of a pension plan from public funds?	34	64	2

This study of one hundred cases has led to conclusions that can but have weight in determining the value of the pension plans in force in Chicago.

The term " pension " is not a new one in the vocabulary of agencies which work with needy families. It implies an accurate analysis of the conditions and needs of the family and a knowledge of the resources that are available and that may be made available. In addition it suggests that the whole need not covered by the family's own resources be met by the payment of sums per week or month, so that the family may feel the assurance of having the budget complete and of knowing just what amount they may count upon receiving in a given period. It further implies the principle that under those circumstances the family is much more likely to develop the elements of self-respect, self-confidence and thrift which result in total family rehabilitation. It is interesting to observe that this use of the word " pension " is no different from the use of the word " relief " as it exists in the more enlightened policies of societies in various cities and commonwealths. Therefore, while to call the sum a pension may be a matter of convenience, no vital distinction can be drawn between sums that are said to come as a matter of justice and those that come as relief.

PROBATION OFFICERS' WORK.—The probation officers' investigation was one test to which the records were subjected, and, giving the officers the benefit of the doubt, the inquiry shows that of the 100 cases 36 had an adequate investigation, while 64 of the investigations were not reasonably satisfactory. With exceptions, the probation officers were entirely unequipped for the task. Several who possessed intelligence and the best of intentions failed because of their lack of training and experience. The investigations in some cases were adequate only because they had been again and again returned to the officers, until all the necessary facts had been gathered.

When we turn to the probation officers' work in after-care, we find that they had even less fitness for this task than for investigation. Supervision that will be of value presupposes an intimate knowledge of the family circumstances, so that it may not develop into espionage. This knowledge did not exist except in rare instances, and hence friendly and effective supervision could not result even if there had been time for it. Most children were attending school regularly, but some of the probation officers were unaware as to whether they were in school or not. Other children were out of school or were going irregularly without the probation officers' knowledge of it. Of the 100 cases looked into, in 72 families the school attendance was satisfactory; in 18 it was not satisfactory; in 2 families the children were too young for school attendance, and in the case of 8 no inquiry was made. Inquiry as to whether the officers' supervision over the health, training, and diet of the children and over the other members of the family was adequate, led to the conclusion that only in 11 families was this the case, while 89 did not have sufficient supervision to affect the family in these important matters.

When we come to study the results of the supervision with the idea

of seeing whether any planning for better home conditions was resulting, we find that only in 7 instances does there seem to be any looking ahead on the part of probation officer or family to a period of self-support or to a better plan for the family life, while 88 families seemed to be living on without the development of any plan for the future. These conditions were mostly due to the fact that the probation officers did not seem to be of the type to render the necessary service and to develop the relationship between mother and children and officer which would bring positive results. In only 14 families are wholesome results apparent from the supervision, while in 80 they are lacking. In 2 other instances the probation officer is of the right type, but it is too early to see results, and in 4 instances the results are doubtful.

The possibilities of good supervision on the part of the probation department are shown in the case of a mother with three children, the oldest being a boy of fifteen, where there was grave doubt as to the advisability of pensioning at all because of the uncertainty of the mother's keeping her home properly. By vigorous following on the part of the probation officer and by intelligent advice, the mother has been kept well up to the best that is in her.

But where there is one case that has been carefully followed, there are at least two that show the opposite, and so we find that a boy of thirteen, who should be going regularly to school, is working regularly nine hours a day as an office boy for a corporation. We find a mother is earning five cents an hour at home work while her husband is dying at home and her house is neglected. A household found at all times in dirty and unsanitary condition was never brought to the attention of the court for a rehearing, and adult relatives are found sharing the benefits of the pension without contributing in any way, financially or morally, to the family's welfare. In another instance, the probation officer considered that there was no harm in winking at the breaking of the law limiting the working hours of women and children, because she saw no noticeable injury from it, but as a matter of fact she had made no systematic effort to find out the extent of such injury, and relatives who could furnish the additional money provided by the child's working over hours were not followed up. In another instance where there was good reason to believe the woman intemperate, but where the neighbors were unwilling to give evidence, the probation officer was satisfied to have the pension continued without a rehearing.

ADEQUACY OF THE PENSION.—Of the 100 families visited, the pension granted was deemed adequate in 59 cases, inadequate in 39, while in 2 it might be considered doubtful. This inadequacy is apparent to the court, and the judge has done what he could to remedy it. In October, 1912, of the 522 families pensioned, 52 that were receiving the maximum amount granted by the court were inadequately aided, while a considerable number of other families in the same condition were not receiving the maximum. At the request of the court, private societies

have consented to consider the needs of such families on their merits, and have made adequate relief plans for a considerable number of those referred, since their greater flexibility of plan permitted more generous relief to be given in such cases.

Such a division of labor was not originally intended when the pension law was passed, but the administration of the law in Illinois has convinced its friends that some maximum was needed. A more flexible plan seemed to open the doors wide for undue pressure upon the administrators of the fund. Until December 1, 1912, this maximum was $10 per month per child, but after that date the judge was willing to consider recommendations for $15 per month for girls and $10 per month for boys as before. This change was not an index of any greater need, but was due to the fact that $15 a month is the amount paid from the public treasury to institutions for dependent girls, while $10 a month is paid for dependent boys.

When it was found necessary that a maximum be established, it also became necessary, in the case of families where there are few other resources or where there are but two or three children, to have some supplementary aid. Whether the public pension in such cases should be supplemented from private sources or whether the aid should all come from one source, became thereupon an important question. In this matter the various relief agencies came to a substantial agreement to the effect that the pension should preferably come from one source, whether public or private. Out of this situation grew the court's arrangement with private societies.

The purposes of the pension doubtless included the demand that the mother should remain a reasonable period of time with her children. It was believed that because of the mother's going out to work either every day or most of the days of the week, the children did not have that oversight and care, training and discipline, which would result in good family life and in well-trained children. We find that 87 of the 100 mothers were with their children a reasonable period of time under the pension system; that as the result either of the inadequacy of the pension or of the failure to insist on the mother's remaining at home when the resources were ample, 13 were not with their children as much as they should be.

While the case committee carefully passes on all cases that come up for pension, the inadequate investigation evidently has led to the pensioning of families in conditions that would not be approved if all the facts were known to them or to the court. In 32 of the 100 the conditions seemed to be such that they needed a rehearing and a remedy by the court if the pension was to be continued. In 55 conditions were apparently satisfactory; 4 cases are doubtful, while in 9 others the remedies are doubtless in the hands of probation officers who could apply them if they were of the right sort and if time were given them for a careful study of the situation.

On the other hand, it should not be supposed from this test that

all of the 32 families mentioned as having conditions that need remedying are such that the family should not be kept together. In fact, in only 10 families are the standards clearly such that the home should be broken up, while in 9 the decision is doubtful, leaving 81 with standards that, while they might require some remedy, are on the whole good. This speaks well for the careful work of the court and of the case committee in sifting out those that should not be pensioned.

Decrease of Interest and of Resources Other than Pension.—The effect of the pension upon the generosity of relatives, and upon the development of private aid through churches, employers, friends or societies is a thing which will be keenly watched by all who are interested in the care of needy families. It is a subject of large concern to know whether, through such a large relief fund as a widows' pension fund, churches, relatives, employers or private societies will become less interested or cease their interest altogether at the point where the pension begins. On this subject 51 of the cases examined show either that less interest began to be felt as a result of a pension plan or that these agencies ceased their interest altogether. In 19 instances there seems to have been no effect, but in some of these no other agencies or individuals were at any time interested. In 30 instances it was impossible to measure just what effect the pension had had. In 34 instances it was believed that the application for the pension was due to the existence of the pension itself, while 64 applications did not seem to have originated in that way, and 2 were doubtful.

Under these circumstances one would expect that there would be evidence of undue dependence in the families. We find, however, that the number showing this attitude is not as large as the number of applications due to the existence of a pension, for 74 showed no evidence of such dependence. In 26 families, however, the fact that this sum was granted from public funds by the court and called a widow's pension either had not prevented the development of a pauper spirit or had not removed it in instances in which it had previously existed. It is evident that pensions have the same effect as relief.

Conclusions Drawn from the One Hundred Cases.—A few general conclusions from the study of the 100 Chicago pension cases may be of value.

The administrators of pension funds in Chicago, as well as those in the other cities visited, find that in common with administrators of other relief funds they are dealing with at least two types: First, families who because of their receiving generous aid rapidly deteriorate, become less energetic, less self-reliant and less moral than before such aid was given; second, families who because of more generous aid feel that economic security which becomes for them the basis of family rehabilitation. Most of the families visited are now better off financially than before the pension was granted, and are also better off than during the

period preceding the death or last illness of the chief breadwinner, or whatever other cause led to economic breakdown. In some instances the family has never been as prosperous as it is now.

It was interesting to find that in a large majority of the families visited there was no evidence of wanton recklessness, extravagance or foolishness in the expenditures. There are many in the total number who have a large measure of family life and whose care of the children is most excellent, but a few of the mothers were clearly intemperate women, and there was a tendency to keep family groups together that had better be broken up. In one family, for instance, the mother was making capital of her crippled child and was interfering with its proper care. In another a patient in the highly contagious stage of tuberculosis was being kept at home under conditions detrimental to the two children. In another the family was syphilitic. In still others the moral tone was low and the children unlikely to prosper, no matter how adequately relieved.

There are various indications of a lack—a necessary lack—of flexibility on the part of pension funds. None is more unfortunate than the requirement made in Chicago that if there is even a small sum left in the bank or any equity in a piece of property, however small, it must first be spent before a pension can be considered. The woman who has a small property, however much encumbered, or who has a bit of insurance left, is practically told, "Go spend what you have and then come back." This certainly leads to extravagance and dishonesty, and prevents any development of thrift.

In a number of the families visited the improvement that was evidenced came through a larger family income rather than through good administration and friendly oversight, and in a number of other families, where there had not been much improvement, it seemed equally clear that it was mainly because of unwise and ignorant management. A county that assumes as important a task as the pensioning of 1,700 children is guilty of flagrant neglect when it gives them over into the hands of a corps of visitors who are largely unfit for such serious responsibilities.

Such intelligence as is being shown in the administration of the Illinois law in refusing to consider the pensioning of families in which the father has recently deserted, in which there is but one child, or in which the children would for various reasons be injured rather than benefited by remaining with the mother, is due to the careful consideration given each case by the case committee, and to the staunch way in which the judge has supported their work. The law itself requires no such safeguards. The committee is there only at the request of the court, and it is doubtful whether a community can for any length of time withstand the application of a much broader interpretation to a law so loosely drawn, a law which does not even limit its benefits to mothers, but permits the pensioning of both parents.

PLANS IN OTHER STATES

IN contrast to the apparently independent origin of the four pension systems described in the foregoing pages, the Colorado law (p. 33) and the ten or more legislative proposals now (January, 1913) being discussed in as many states are apparently suggested by the experiments of one or more of this original group. In two of the original four states, California and Wisconsin, where the system, limited to a single city, was not based on special pension legislation, efforts are being made to extend it and give it the backing of special laws.

Among the states in which legislation of this sort is now being considered are Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Iowa, Nebraska, Minnesota and Washington. In Ohio a commission consisting of two members appointed by the Governor "to codify and revise the laws of the state relative to children," after considering the subject of mothers' pensions, reported that while its two members were "not unanimously agreed as to the desirability of any enactment of this kind, it is agreed that should any be passed, it should be in the form" which it suggests (see p. 35). Massachusetts has investigated the proposal through a special commission, which will probably suggest some sort of pension legislation. In addition, or possibly as a substitute, proposals are being made in that state for legislation calling for a policy of adequate relief on the part of the various local public relief officials, and extending the authority of the State Board of Charity to the supervision of relief given individual families by such local officials. In New York City a special committee made a report on the subject last spring to the city Conference of Charities and Correction. All but one of the members of this committee subscribed to the recommendation that public relief for widows be established in New York City, in accordance with a plan outlined in the report.

There is much variation in the scope of the various proposals. In all there must be children living with their mother, and, in the judgment of the authorities, there must be need. Usually there must be but one child, but the New York proposal is for two or more children. In some states the woman qualifies if this one child is under *sixteen* years of age, but by the more rigid rule of the Ohio bill the child must be under *fourteen* years of age, and the mother is not allowed to work away from her home more than one day a week. Iowa and New York would limit their aid to widows. The Ohio bill includes also women whose husbands are in prison, are insane, or are "permanently disabled from work." It follows Illinois in allowing the Juvenile Court to grant the pensions, but Iowa would leave the administration to its Board of Control of State Institutions, while for New York City a new city department would be created, the "Department of Home Assistance." A maximum allowance of $10 per month for each child under the specified age is fixed by the Iowa proposal. Ohio, however, would give $15 per month for the first child and $7 per month for each of the others. Thus

the maximum per month for a widow with four children under the specified ages would be $40 in Iowa and $36 in Ohio. The New York proposal fixes no limit. The pension there is to be given by private societies, the new city department giving to each family double the amount that the private society has already given, provided the private society's application for the family is approved. By the Iowa proposal state funds pay only half of the pension money needed and county funds half. In Ohio the funds are to be provided by a special county tax, not to exceed one-tenth of a mill on the dollar valuation of taxable property. City appropriations are to supply the funds according to the New York plan. Investigation by the private societies, before a pension is approved, is required by the New York plan. In Iowa the investigation is to be within sixty days, by an agent of the administering board. By the Ohio plan, however, "a careful preliminary examination of the home of such mother must first have been made by the probation officer, an associated charities organization, humane society, or such other competent person or agency as the court may direct, and a written report of such examination filed." Finally, the Ohio proposal contains a provision intended to protect the funds from exploitation. It is provided that on the petition of any citizen the court may terminate or modify the order granting any pension.

GENERAL CONCLUSIONS

THE present resources and methods of procedure in caring for women with dependent children are so diverse in divers communities that it is impossible to legislate wisely in any one state by merely copying laws that are on the statute books of another. In some cities and states subsidies are granted to private institutions for the support of children at public expense, while in others subsidies are forbidden. In California, for instance, the support of dependent children in private institutions at public expense has been in existence for many years and no plan of outdoor relief obtains in San Francisco. These circumstances are not typical, however, of many American communities. In Kansas City, with no public outdoor relief and only small sums being paid to private children's societies from public funds, and with private relief societies inadequately equipped to meet the needs, the situation was one to encourage the development of a new form of public aid.

But not only are states diverse, but communities in the same state have greatly differing resources and it is impossible to enact state-wide legislation that will meet the need successfully without considering the circumstances of the local community. This diversity has been shown to some extent in this study. It is, for instance, true that while Boston, through its public and private charitable agencies, is largely preventing the breaking up of families for reasons of poverty alone, in other cities

of Massachusetts the care of dependent children and their mothers is not as adequately provided for as in Boston and its immediate vicinity.

2. The idea of adequate relief is a new one for most charitable agencies. Whether public or private, they are still quite generally in the habit of calculating the amount that can be given any one family by dividing the probable total number of families under care into the probable total amount available for relief. Great strides, however, have been made in private agencies, particularly in their willingness to recognize that each agency should aid adequately or feel responsible for the adequate aid of those that it aids at all, and responsible, too, for developing, within the families themselves, within their immediate circles, or from natural sources, such aid as will wholly and best meet the need. Public agencies have only partially as yet felt this influence, and they recognize only imperfectly or not at all the many forms of service which can be rendered those in distress aside from the granting of money. Progress has, however, been made even among them.

3. The creation of new administrative machinery without doing anything with the old is a common enough error, which leads often to conflicting policies and authorities. The duplicate investigations for the granting of Chicago pensions are an illustration of this. In most of the cities and towns of this land the public relief officers, under various designations, are the last resort for aiding women with dependent children. By creating new bodies to deal with the pensioning of women with dependent children, the experience of these officers is disregarded, and the problem of a new form of relief is turned over to a new group, a group more likely to work in antagonism to than in co-operation with the established relief authorities.

4. With the exception of St. Louis, the administration of all the plans for pensions that have been considered is vested in the juvenile court. The work of the juvenile court is so important that it is extremely hazardous to its proper development to add to its judicial functions the function of pensioning and the supervision of pensioners. The judges of the juvenile courts represented in this study are men of integrity and intelligence, and their very interest in the social problems of their community, which they felt were not being successfully met by existing agencies, has led them either to encourage widows' pension plans or to originate them. Most of them do not themselves feel that the juvenile court is adapted to this task.

Says Judge Baker of the Boston Juvenile Court: "I want to warn the communities that are going to try any experiments with widows' pensions or relief to parents not to administer them through the juvenile courts." To which Judge Pinckney of the Chicago Juvenile Court adds: "When Judge Baker says that the administration of this relief ought not to be left to the Juvenile Court of Chicago, or to any juvenile court, I say, Amen! Amen!"

A study of the pension administration of the various juvenile courts does not give one that confidence in its success which would justify its further extension. If widows' pensions are needed in our various states, some other agency than the juvenile court should be charged with their administration.

5. Those who expected that pensions to mothers with dependent children would reduce the number of commitments to institutions materially are doomed to disappointment, judging from the experience of the cities where pensions are in vogue. The number of children committed because of poverty alone is much smaller than is generally supposed, and only a careful case-by-case examination of the reasons leading to the commitments would bring out the facts. Most of the dependent children committed in Chicago were neglected by their parents and had no homes to which they could safely be returned.

6. The passage of new laws for the pensioning of widows with dependent children who are in need will inevitably create a new class of dependents in our communities. In 34 of the 100 cases examined in Chicago, the applications seem to be due to the fact of the existence of a pension plan. In communities where the forms of co-operation between the juvenile court and the private relief agencies are not as carefully worked out as they are in Chicago, this number will be materially increased. Any legislation that seeks to aid new groups of dependents without at the same time guarding against the creation of such dependents is dangerous.

7. The enthusiasm in favor of widows' pensions must not be underestimated and undervalued. It is born of a desire to have justice done to the mother who is attempting to keep her brood of children together under trying circumstances. A number of the states of the Union have, however, begun to meet this question in a more logical way, and are pointing the way to a better solution. They have discovered the causes of some of the deaths which have brought about widowhood, and have passed laws for their prevention. They have discovered that deaths from accident and from industrial and other preventable diseases constitute a considerable proportion of the total number.[1] They have better protected the living so that there might be fewer widows and dependent children. They have passed workmen's compensation and employers' liability laws, so that the industry and the consuming public might carry the expense that comes as a result of the risk involved in the production of goods. They have passed insurance legislation which has decreased premiums and encouraged thrift.

When, in addition to measures that look toward the prevention

[1] In a study made by the Charity Organization Department of the Russell Sage Foundation now almost completed, 29 per cent. of the husbands of the 799 widows studied died of tuberculosis, and 9 per cent. were killed by industrial accidents.

of accident, disease and death, the community has also recognized the importance of a strict enforcement of legal responsibilities, still less will remain to be done through the pensioning of a new dependent class. There are few states that have laws to deal at all adequately with desertion, bastardy, and support by relatives in line of descent, and where such laws are reasonably adequate their rigid and intelligent enforcement is rare. The enthusiast in favor of widows' pensions is indifferent to the rigid enforcement of responsibilities. He is likely to hold lightly the ties of kinship and of those natural community relations which find their most beautiful expression in the service which one person may render to another in a time of distress. He is likely to turn easily toward the payment of a lump sum from the public treasury as a substitute for family and neighborhood responsibility, and as a remedy for all social ills.

The existing public and private agencies for home assistance should be adapted, standardized and used to meet the present needs as far as their purposes and their methods make this practicable. When, in addition to these, the preventive measures that have been mentioned have been instituted, a large part of the dependence in most of our cities and states will have been met. If, however, social and economic conditions, upon careful inquiry, are found to be such that large groups of families are left in poverty or destitution, it were better that a plan of social insurance be adopted than that these families should, group by group, be added as dependents to our communities. Such plans of insurance against widowhood, unemployment, invalidism or accident are now in vogue in England, Germany and other European countries. The state provides the whole support or asks the breadwinner to contribute from his earnings a portion of what will be paid him as a pension when some unavoidable misfortune has come upon him.

APPENDIX

EXISTING LAWS, ORDINANCES, ETC.

I

SECTION 22 OF THE CONSTITUTION OF THE STATE OF CALIFORNIA AUTHORIZING PAYMENTS FROM THE STATE TREASURY FOR THE SUPPORT OF MINOR ORPHANS OR HALF-ORPHANS, OR ABANDONED CHILDREN, IN PRIVATE CARE.

No money shall be drawn from the treasury but in consequence of appropriations made by law, and upon warrants duly drawn thereon by the comptroller; and no money shall ever be appropriated or drawn from the State Treasury for the use or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a State institution, nor shall any grant or donation of property ever be made thereto by the State; *provided*, that notwithstanding anything contained in this or any other section of this Constitution, the Legislature shall have the power to grant aid to institutions conducted for the support and maintenance of minor orphans or half-orphans, or abandoned children, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; *provided further*, that the State shall have at any time the right to inquire into the management of such institution; *provided further*, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or aged persons in indigent circumstances, such county, city and county, city or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church or other control. An accurate statement of the receipts and expenditure of public moneys shall be attached to and published with the laws of every regular session of the Legislature.

II

SECTION 21 OF THE CALIFORNIA JUVENILE COURT LAW AS AMENDED AND IN FORCE APRIL 5, 1911.

Any order providing for the custody of a dependent or delinquent person may provide that the expense of maintaining such person shall be paid by the parent or parents or guardian of such person, and in such case shall state the amount to be so paid, and shall determine whether or not the parent or parents or guardian shall exercise any control of said person, and define the extent thereof. Any disobedience of such order or interference with the custody of the person as therein determined shall constitute a contempt of court.

If it be found, however, that the parent or parents or guardian of a dependent or delinquent person is unable to pay the whole expense of maintaining such person, the court may, in the order providing for the custody of such person, direct such additional amount as may be necessary to support such person to be paid from the county treasury of the county for the support of such person, the amount so ordered to be paid from the treasury of said county not to exceed, in case of any one person, the sum of eleven dollars per month; *provided further*, that no order for the payment of all or part of the expense of support and maintenance of a dependent or de-

linquent person from the county treasury shall be effective for more than six months, unless a new order is secured at the expiration of that period.

The court may thereafter set aside, change or modify any order herein provided for.

III

Kansas City Mothers' Allowance Law Passed by the 46th General Assembly, 1911.

An act to provide for the partial support of poor women whose husbands are dead or convicts when such women are mothers of children under the age of fourteen (14) years and reside in counties now or hereafter having not less than two hundred and fifty thousand (250,000) inhabitants and not more than five hundred thousand (500,000) inhabitants, and now or hereafter having or holding a juvenile court. With an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. In every county now containing or that may hereafter contain two hundred and fifty thousand (250,000) inhabitants and less than five hundred thousand (500,000) inhabitants and in which a juvenile court is now being held or may hereafter be held, it shall be the duty of the county court to provide out of the moneys in the county treasury not already appropriated an amount sufficient to meet the purposes of this law, but not exceeding in any one year the sum of twelve thousand dollars ($12,000) for the partial support of women whose husbands are dead, or whose husbands are prisoners, when such women are poor, and are the mothers of children under the age of fourteen years and such mothers and children reside in such counties.

Section 2. The allowance to each of such women shall not exceed ten dollars ($10) a month when she has but one child under the age of fourteen (14) years, and if she has more than one child under the age of fourteen years, it shall not exceed the sum of ten dollars ($10) a month for the first child and five dollars ($5) a month for each of the other children under the age of fourteen years.

Section 3. Such allowance shall be made by the juvenile court and only upon the following conditions: (1) the child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) the allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children; (3) the mother must, in the judgment of the juvenile court be a proper person morally, physically and mentally, for the bringing up of her children; (4) such allowance shall in the judgment of the court be necessary to save the child or children from neglect; (5) no person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such application for such allowance.

Section 4. Whenever any child shall reach the age of fourteen years any allowance made to the mother of such child for the benefit of such child shall cease. The juvenile court may, in its discretion, at any time before such child reaches the age of fourteen years, discontinue or modify the allowance to any mother and for any child.

Section 5. Should the fund herein authorized be sufficient to permit an allowance to only a part of the persons coming within the provisions of this law, the juvenile court shall select those cases in most urgent need of such allowance.

Section 6. The provisions of this law shall not apply to any woman whose husband is not dead or who is not confined in the Missouri state penitentiary or other prison in this state, and in the latter case it shall not apply unless such prisoner is the lawful husband of the woman seeking such allowance.

Section 7. Any person procuring, or attempting to procure any allowance for a person not entitled thereto shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500), or by imprisonment in the county jail, for a period of not more than one year, or by both fine and imprisonment.

Section 8. In each case where an allowance is made to any woman under the provisions of this act, a judgment entry to that effect shall be entered upon the records of the juvenile court making such allowance, and it shall be the right of any tax-paying citizen at any time to file a motion to set aside such judgment; and on such motion the juvenile court, or the court to whom such motion may be taken on a change of venue, shall hear evidence, either with or without a jury, as either side may demand, and may make a new order granting or refusing such allowance, and from such order so made an appeal shall lie as in ordinary civil cases. If the judgment making such allowance is not appealed from or is affirmed on appeal, the person filing such motion shall pay all of the costs of such motion and proceedings subsequent thereto. Such motion may be renewed from time to time but not oftener than once in any calendar year.

Section 9. All acts or parts of acts in conflict with this act are in so far as they so conflict hereby repealed.

Section 10. There being no adequate provision of law covering the subject of partial support of poor women, an emergency within the meaning of the Constitution is hereby declared to exist, therefore this act shall take effect and be in force from and after its passage and approval.

IV

Resolution Passed by the Board of Trustees of the Milwaukee County Home for Dependent Children, March 26, 1912.

Your joint committee on treasury and taxes and penal and charitable institutions, to whom was referred on February 20, 1912, the resolution of Supervisor Heath, found on Page 360 of the proceedings of that date, in regard to a fund to be used for dependent children, beg leave to report that they have considered said matter with the judges of the juvenile court of Milwaukee County, and recommend the adoption of said resolution with certain amendments. Said resolution as amended reads as follows:

Whereas, It has been found necessary in numerous cases coming before the juvenile court, in which dependent and neglected children have been placed in the Milwaukee County Home for Dependent Children at Wauwatosa, to take children away from impoverished mothers, thus breaking up families that should in the majority of instances be kept together and the home influence preserved; and

Whereas, It has been found that in cases of this kind a small addition to the income of the mother would often be sufficient to enable her to provide for her children and to thus escape the heartrending separation such as frequently takes place; and

Whereas, It is desirable that a sum of money be set aside as a fund to be used to alleviate or prevent the conditions above mentioned, especially in such cases where the evidence taken in said juvenile court shows that the family is one deserving of such assistance, therefore

Resolved, That the sum of five thousand dollars ($5,000) be and it is hereby set aside and constituted a special fund to be used and drawn upon by the trustees of the Milwaukee County Home for Dependent Children in

such cases of dependent and neglected children pending in the juvenile court of Milwaukee County where said board, from the evidence there taken and upon the advice of the presiding judge of said court, decides and determines that it is for the best interests of the family to give such family financial assistance instead of detaining such child or children in said Milwaukee County Home for Dependent Children; and further

Resolved, That the five thousand dollars ($5,000) so set aside be taken from the five thousand dollars ($5,000) previously transferred to the trustees of the Milwaukee County poor from the improvement fund of the Home for Dependent Children, and not accepted by said trustees, and that the county treasurer is hereby empowered to transfer said sum of five thousand dollars ($5,000) from the Milwaukee County poor fund to the special fund for the care of dependent and neglected children in order to comply with the foregoing resolution; and it is further

Resolved, That temporary aid be given when the same shall be suggested or recommended by the presiding judge of said juvenile court, until such time as said board of trustees shall have had an opportunity to make a full and complete investigation of such case, and that a transcript of the testimony taken in such case be immediately forwarded to said board of trustees for their information; and it is further

Resolved, That said board of trustees make a report upon the first day of each and every month, giving an itemized statement of their expenditures from said fund.

FREDERICK HEATH,
GEORGE MOERSCHEL,
S. R. BELL,
WILLIAM E. MCCARTY,
GEORGE MENSING,
Committee.

V

ST. LOUIS, MO., LAW FOR MOTHERS' COMPENSATION AS PROVIDED BY AN ORDINANCE CREATING THE BOARD OF CHILDREN'S GUARDIANS IN 1912.

Section 8. Said Board of Children's Guardians shall have the power and authority to receive and take charge of any child upon commitment to it by any court of competent jurisdiction in the City of St. Louis, and upon application of its legal custodian to receive and take charge of any dependent or defective child for such care and treatment as such Board may determine; *provided*, however, that the Board shall not take charge or consider any application for the care of a child who has not been a resident of the city for at least one year prior to the application, or, if a child under one year of age, whose parents or guardian have not been residents of the city for at least one year prior to the making of the application, excepting foundlings and abandoned children whose parents or guardians are unknown.

Section 9. Said Board of Children's Guardians shall have the power and authority to place any child in its charge for temporary custody in the House of Detention; to place delinquent and defective children in any public institution within the State of Missouri for the care of delinquent and defective children, and to place dependent children in the St. Louis Industrial School, but only in case no suitable family homes can be found for them, and only until such homes can be found. Said Board shall have the power and authority to place any child in its charge or under its control with any family qualified and able in the opinion of the Board to provide for the comfort and wants of such child, and to care for its moral and physical welfare, *provided*, that no child shall be placed with any family when the head thereof is of different religious affiliation from that of the child's parents or guardian, if

such affiliation can be ascertained; and *provided further*, that no payment shall be made for the board of any child with such child's own father or mother, excepting with its own mother, when such mother is widowed, and then only after the Board, through an investigation by its agents and at least one other independent investigation, has agreed that such board should be allowed; and *provided further*, that the Board of Children's Guardians shall not place for board any child who has arrived at the legal working age (fourteen) unless such child is mentally or physically incapacitated for gainful employment. The Board shall, so far as practicable, place children within the City of St. Louis, and when not practicable, the children may be placed in the State, within a radius of fifty miles of St. Louis.

Section 10. For each child so placed by said Board in any public institution within the State of Missouri, the City of St. Louis shall pay whatever sum may be fixed by statute or whatever sum may be agreed upon by said Board not in excess of the sum fixed by statute. For the board and maintenance of every child placed with a family the city shall pay whatever sum is agreed upon by said Board of Children's Guardians, not in excess, however, of the sum of three dollars and fifty cents per week; *provided*, however, that with the consent of the Comptroller first had and obtained as evidenced by his certificate in each and every case, the said Board may authorize and the city shall pay a greater amount, as fixed by the Comptroller's certificate. In addition to said amount thus fixed, the city, upon the action of said Board, may pay for clothing and for medical treatment not exceeding the sum of twenty-five dollars per year per child; *provided*, however, that a greater sum may be authorized by said Board and shall be paid by the city, upon the certificate of the Comptroller having been first had and obtained in each and every case. All expenditures authorized by the Board shall be certified by the Board's agent and chairman.

Section 11. Said Board shall render a quarterly report, on the fifteenth day of February, May, August and November of each year to the Municipal Assembly, and a monthly report to the Mayor, showing the number of children in its charge and under its control, the manner in which each child came into said Board's control, its age, sex and color, the disposition of each case, the number of those finally discharged from the Board's control, the amount of expenditures on account of the work of said Board, and any and all information that the Board may be able to furnish. The Board shall make to the Comptroller such fiscal reports as he may require.

VI

COLORADO MOTHERS' COMPENSATION ACT PASSED BY POPULAR VOTE, NOVEMBER 5, 1912.

An act to amend an act entitled, An Act concerning Dependent and Neglected Children, approved April 2, 1907.

Be it enacted by the people of the State of Colorado.

Section 1. That Section 7 of an Act entitled, An Act Concerning Dependent and Neglected Children, approved April 2, 1907, be and the same is hereby amended so as to read as follows:

Section 7. Any dependent child committed to the State Home for Dependent and Neglected Children shall, as to its care and disposition by said home, be subject to any special order of the court making such commitment, provided such order be made at the time of such commitment. If the parent or parents of such dependent or neglected child are poor and unable to properly care for such child, but otherwise are proper guardians, and it is for the welfare of such child to remain at home, the court may enter an order finding

such facts and fixing the amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the Board of County Commissioners, and in those cities and counties operating under Article XX of the Constitution it shall be the duty of the department and authority performing that part of the functions of a board of county commissioners, or vested with power for the relief of the poor, to pay such parent or parents, or, if it seems for the best interest of the child, to some other person designated by the court for that purpose, at such times as said order may designate, the amount so specified, or when so ordered by the court, its equivalent in supplies and assistance, for the care of such dependent or neglected child until the further order of the court. The juvenile court in counties of over 100,000 population, and the county court in all other counties, shall appoint proper persons for the purpose of investigation, visitation, the keeping of records and the making of reports in cases requiring relief under this act. The details as to the number of such investigators, their rights, duties and powers in addition to that of investigators of such cases, their compensation, the limitations thereon and the authority of the county or city and county required to provide for such compensation shall be as provided by law for the employment of probation officers in such juvenile and county courts. It shall be the duty of the clerk of such juvenile or county courts, on or before December 1, 1912, and on or before the first day of July of each year thereafter, to submit to such county board or other proper authority a report of all cases receiving relief under this act, and an estimate of the sum necessary to be placed at its disposal for complying with the provisions of this act. A copy of such report shall be filed with the State Board of Charities and Corrections. If the state home is unable to provide any child with a family home through voluntary adoption within six months from the time of its commitment, then as far as possible and if for the best interest of the child it shall be its duty to provide for the boarding out of said child in a suitable family home until such time as it may be adopted or shall have reached the age of sixteen years. Petitions and commitments under this act shall state the religious belief of parents, if known, and if not known the court shall endeavor to ascertain such fact, and family homes to which children are committed shall, as far as practicable, conform to such religious belief. On or before December 1, 1912, and on each July 1st next thereafter, before the convening of the succeeding general assembly, it shall be the duty of the superintendent of said home to submit to the governor and the state board of charities and corrections a detailed report of such boarding out of said children in family homes and an estimate as near as may be of the annual sum necessary for the maintenance of said boarding out system and visitation officers employed by said State Home in connection therewith. The governor shall transmit such estimate to such succeeding general assembly, which is hereby directed by the people of this state to appropriate from the state treasury a sum sufficient for the boarding out and visitation of said children, and otherwise carrying into effect the provisions of this act. Any of said courts enforcing the provisions hereof shall have the right to proceed as for contempt of court against officials who wilfully refuse to comply with its orders directing their compliance with the provisions hereof; provided the sums paid out under this act shall not exceed in any year the amount appropriated for such purpose by the county, city and county, or state authorities respectively. In counties having a population of over 20,000 the boards of county commissioners, and in cities and counties operating under Article XX of the Constitution, the authority performing like duties to those of county commissioners, shall establish and maintain workhouses or proper facilities for the detention and employment of men convicted of non-support of women and children. Any sums of money earned by them or collected for their labor by the authorities in charge of such workhouses or facilities shall be used for the maintenance of the fund necessary to be expended by the county

or city and county in carrying out the provisions of this act. The board of commissioners of the state penitentiary and reformatory shall make such similar provision as to said board seems most practicable to profitably employ all persons committed to such prisons for non-support of women or children, and any sums received for such labor shall be used for the maintenance of the fund provided by the state for compliance with the provisions of this act. This act shall be liberally construed for the protection of the child, the home and the state, and in the interest of public morals and for the prevention of poverty and crime.

VII

Sections of the Report of the Commission to Codify and Revise the Laws of Ohio Relative to Children Recommending a Statute on Widows' Pensions.

Section 1683-2. Support of Women and Children in Certain Cases.

For the partial support of women whose husbands are dead, or become permanently disabled for work by reasons of physical or mental infirmity, or whose husbands are prisoners, when such women are poor, and are the mothers of children under the age of fourteen years, and such mothers and children have a legal residence in any county of the state, the Juvenile Court shall make an allowance to each of such women, as follows: Not to exceed fifteen dollars a month, when she has but one child under the age of fourteen years, and if she has more than one child under the age of fourteen years, it shall not exceed fifteen dollars a month for the first child and seven dollars a month for each of the other children under the age of fourteen years. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period, said court may from time to time, extend such allowance for a period of six months or less, provided the home of such woman has first been visited by a probation officer or other competent person.

Section 1683-3. Amount of Allowance.

Such allowance shall be made by the Juvenile Court, only upon the following conditions: First: the child or children for whose benefit the allowance is made, must be living with the mother of such child or children; Second: the allowance shall be made only when in the absence of such allowance, the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children, except that she may be absent not more than one day a week for work; Third: the mother, must in the judgment of the Juvenile Court, be a proper person, morally, physically and mentally, for the bringing up of her children; Fourth: such allowance shall in the judgment of the court be necessary to save the child or children from neglect and to avoid the breaking up of the home of such woman; Fifth: it must appear to be for the benefit of the child to remain with such mother; Sixth: a careful preliminary examination of the home of such mother must first have been made by the probation officer, an associated charities organization, humane society, or such other competent person or agency as the court may direct, and a written report of such examination filed.

Section 1683-4. Age Limit.

Whenever any child shall reach the age of fourteen years, any allowance made to the mother of such child for the benefit of such child shall cease. The Juvenile Court may, in its discretion, at any time before such child reaches the age of fourteen years, discontinue or modify the allowance to any mother and for any child.

Section 1683–5. Urgent Cases.

Should the fund at the disposal of the court for this purpose be sufficient to permit an allowance to only a part of the persons coming within the provisions of this act, the Juvenile Court shall select those cases in most urgent need of such allowance.

Section 1683–6. When No Allowance Allowed.

The provisions of this act shall not apply to any woman who, while her husband is imprisoned, receives sufficient of his wages to support the child or children.

Section 1683–7. Penalty.

Any person or persons attempting to obtain any allowance for a person not entitled thereto, shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine of not less than five nor more than fifty dollars, or imprisonment in the county jail, for a period of not less than two months, or both.

Section 1683–8. Records.

In each case where an allowance is made to any woman under the provisions of this act, a record shall be kept of the proceedings, and any citizen of the county may, at any time, file a motion to set aside, or vacate or modify such judgment and on such motion said Juvenile Court shall hear evidence, and may make a new order sustaining the former allowance, modify or vacate the same, and from such order, error may be prosecuted, or an appeal may be taken as in civil actions. If the judgment be not appealed from, or error prosecuted, or if appealed or error prosecuted, and the judgment of the Juvenile Court be sustained or affirmed, the person filing such motion shall pay all the costs incident to the hearing of such motion.

Section 1683–9. Duty of Commissioners to Provide Funds.

It is hereby made the duty of the county commissioners to provide out of the money in the county treasury, such sum each year thereafter as will meet the requirements of the court in these proceedings. To provide the same they shall levy a tax not to exceed one-tenth of a mill on the dollar valuation of the taxable property of the county. The county treasurer shall pay such allowance upon order signed by the juvenile judge.

MSH 22661

END OF
TITLE